

239037



NHTSA 02-12150-49

January 23, 2003

Mr. Taylor Vinson
Office of the Chief Counsel
US Department of Transportation
National Highway Traffic Safety Administration
400 Seventh Street S.W.
Washington DC 20590

Dear Mr. Vinson,

In regards to the Transportation Recall Enhancement, Accountability and Documentation (TREAD) Act, DOT Regulation 49CFR Part 579 Sub part B, Utility Trailer Manufacturing Company would like to formally request confidentiality regarding the information reported to DOT that is required under the TREAD Act. As you are aware, the information includes the following:

- The prior ten "trailing" years of production by quarter by model up to the present.
- Field reports and reports of deaths and injuries by model and model year.
- The number by make, model and model year of warranty claims, property damage claims, consumer complaints, and field reports.
- All notices, bulletins, and other communications to more than one recipient regarding any defect.

This information has historically been confidential. Utility Trailer's management understands that the use of this private information by DOT to identify a potential risk to public safety is what the TREAD Act intends. The format and context of the information to be reported are also defined by the Act for the purposes of the Act. However, this information may be misleading if used in a context outside that of the TREAD Act. Because the potentially adverse effects of information, intended for the use by DOT, being taken out context and used against our company are, at best, difficult to predict, it is the opinion of Utility Trailer's management that this information remain confidential.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey J. Bennett".

Jeffrey J. Bennett
Vice President, Product Development

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CHIEF
COUNSEL

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